

APPEAL CONCERNING THE RHEE LINE

APPEAL
OF
JAPANESE FISHING PEOPLE
TO THE WORLD CONCERNING
THE QUESTION
OF
RHEE LINE

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Japan-Korea Fishery Deliberation Headquarters
Marunochi-B'dg, Chiyoda-ku, Tokyo, Japan

1953

1. Appeal to wisdom of the World.

Difficulties over the question of fisheries involving Japan and Korea might be said to have had their origin in the "declaration concerning maritime sovereignty"—now better known, perhaps, as the proclamation of the "Rhee Line"—made by President Syngman Rhee of the Republic of Korea on January 18, 1952. For ever since then, hardly a month went by without some incident or incidents in the waters in question which unfortunately served but to aggravate the ill feeling between the two close neighbors. This situation was brought to a climax on September 8, 1953 when the Korean Government issued a statement summarily ordering all Japanese fishing boats to withdraw outside the "Rhee Line", and then proceeded forthwith to seize all Japanese boats found within the Line. It should be pointed out that among the boats thus seized and taken with their crews to Korean ports for detention were a Japanese Government's fishery patrol vessel and nine trawlers which were merely following their normal course between their home ports and the fishing grounds in East China Sea.

As regards the propriety of President Rhee's declaration and the legality of the course of action subsequently pursued by the Korean Government, we are perfectly willing to let international public opinion be the judge. But for an early amicable settlement of the fishery dispute arising from Korea's actions, we had placed great hopes and reliance on the official Japanese-Korean Talks which, unfortunately, broke down on October 21 even before any of the concrete problems involved were touched.

Our immediate concern is the fate of the fishing boats and their crews being detained in Korea, and in particular the health and general welfare of the crew members who were dressed for the summer at the time of their arrest and hence must be suffering with the onset of the cold season.

The Korean law court by which the crews of the seized Japanese fishing boats were tried handed down its decision recently. Ships' officers were sentenced to three month imprisonment with fines, junior crew members to two months imprisonment with fines, and all the boats and their equipment and gears were ordered

confiscated. And in not a single case were the defendants allowed the benefit of their own counsel. The fact that Japan still does not have a diplomatic mission in Korea might be offered as a plausible explanation; but that cannot excuse the denial of one of the most basic safeguards guaranteed by law in all enlightened nations.

Firmly believing that the present issue can and ought to be settled by peaceful means, representatives of the country's fishery interests and fishery employees organizations such as the Japan Fishery Society, National Federation of Fishery Cooperatives and All-Japan Seamen's Union met on September 15, 1953, and established in Tokyo the Japan-Korea Fishery Deliberation Headquarters with branch offices in numerous important local centers. It is the task of this new organization to disseminate pertinent information on all important facts and angles of the troublesome issue, in the hope that an enlightened world public opinion might be lined up in support of a solution consistent with justice and humanity, and without which neither Japan nor Korea will be able to function as friendly and cooperative neighbors nor realize their full possibilities.

2. What is the Rhee Line?

"The declaration concerning maritime sovereignty" issued by President Rhee on January 18, 1952 opens with the following paragraph:

"1. Government of the Republic of Korea holds and exercises national sovereignty over shelf adjacent to peninsular and insular coasts of the National Territory, no matter how deep it may be, protecting, preserving and utilizing to best advantage of national interests, all natural resources, mineral and marine, that exist over said shelf, on it and beneath it, known or which may be discovered in the future".

Continuing, the declaration makes clear the intention to place "under government supervision particularly fishing and marine hunting industries in order to prevent this exhaustible type of resources and natural wealth from being exploited to the disadvantage of inhabitants of Korea, or decreased or destroyed to the detriment of the country", and specifies the zone as indicated in the sketchmap shown



Japanese fishing vessels operating on the high sea being dispersed under attack by Korean war-ship (marked x)

on the following page.

There is, however, this further statement: "The declaration of sovereignty over adjacent sea does not interfere with rights of free navigation on high seas".

In the Preamble of the declaration, moreover, historical justification for the establishment of the "Rhee Line" is sought by referring to "well established international precedents". Mentioned in that connection are two proclamations issued by the-then American President Truman on September 28, 1945. One of the Truman proclamations was concerned with the continental shelf, and the other with the protection of coastal fishery resources. The Rhee declaration seems to be a jumble of the two. And while President Rhee seems to have exercised much license in freely expanding the theory of the continental shelf and the scope of the zone for protection of fisheries, he has completely overlooked two points of fundamental importance contained in the Truman proclamations. Namely:

1. Territorial waters are not to be expanded.
2. Necessary measures must be considered in cooperation with interested Powers.

It needs hardly to be pointed out that the Rhee Line expands Korea's territorial waters beyond the internationally accepted three-mile limit by as much as 150 to 200 miles at some points, and that President Rhee in delineating it unilaterally completely ignored the position of Japan as an interested Power.

Japan has never recognized the contents of the Truman proclamations as principles established under international law; and even America herself saw fit to protest against the efforts of a few Central and South American countries to extend their territorial waters through unilateral action. Concerning the Rhee declaration, the Japanese Government, in a statement issued on January 25, 1952, made clear its view that the declaration not only violated the principle of freedom of the seas long established among nations, but conflicted with the fundamental concept of international cooperation in fishery matters and hence could not be recognized under any circumstances. And an official protest to that effect was sent by the Japanese Government to the Korean Mission in Tokyo three days later. But the only result to date has been a repetition of regrettable incidents that have caused the Rhee Line to be focused before the public as the most serious source of friction between Japan and Korea.

We can never recognize the arbitrary and one-sided action taken by Korea in drawing a line on the high seas and claiming exclusive sovereignty within it. Not only is it an effort to restrict the operations of the fishing boats of a neighboring country which borders on the same seas, but seeks to exercise monopoly over resources which should be equally available to all peoples. Allow this trend to go unchecked, and we may well expect a revival of the argument for partition of the seas,—a potential source of much international friction.

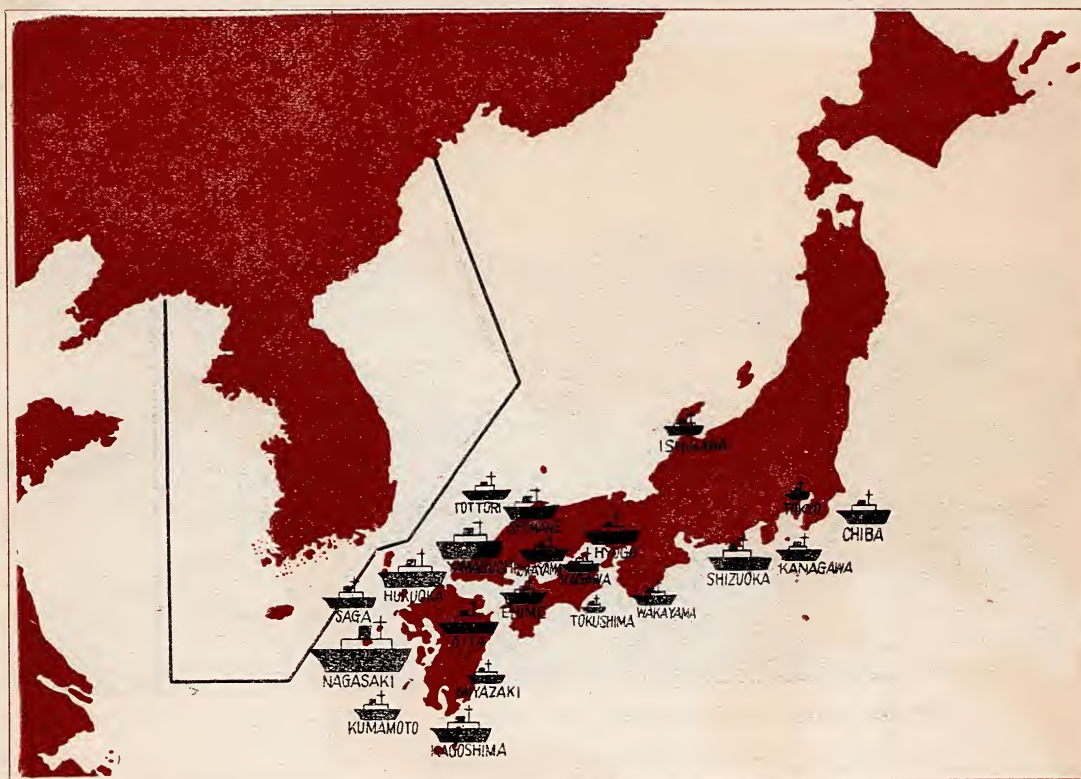
3. Development of Fishery Dispute between Japan and Korea.

After the issuance of the Rhee declaration, the Korean authorities did not take immediate measures to control the movements of Japanese fishing boats, or to restrict their operations, within the specified zone. This delay in enforcement was probably due in part to the fact that preparations were then being made for

This map illustrates the East China Sea and its surrounding landmasses. The USSR is shown to the north, with the Gulf of Tartary and the Okhotsk Sea to the northeast. To the west is the Yellow Sea, and to the south is the East China Sea. The map features several key geographical elements:

- Rhee Line:** A prominent line running from the Korean Peninsula towards the Japanese archipelago, labeled "RHEE LINE".
- 200m Depth Lines:** Three lines indicating the 200-meter depth contour, labeled "200m Depth Line".
- Geographical Features:** The Yellow Sea, Formosa Strait, and the islands of Japan (including Honshu, Shikoku, and Kyushu) are clearly marked. The Korean Peninsula is also visible.
- Coordinates:** Various latitude and longitude coordinates are provided for specific points, such as N. 42°15', E. 130°45' and N. 32°00', E. 127°00'.
- Other Labels:** "CHINA", "FORMOSA STRAIT", "Ryu-Kyu or LU-CHU I's.", and "FORMOSA" are also labeled.

Bases of Japanese Fishermen engaged in fishing within the Rhee Line



Fish caught within the Rhee Line feeds the Japanese population shaded below





**Korean Navy S.P.'s guard their prize—Japanese fishing boats
in the background**

commencement of Japanese-Korean talks for formalization of relations, including establishment of diplomatic relations, between the two countries, and for the settlement of the many questions then pending. But as the talks made little progress and was finally abandoned in April 1952, the stopping and seizure of Japanese fishing boats within the Rhee Line by Korean authorities thereafter gradually began to mount in frequency and number.

When, on September 27, 1952, General Clark, Commander-in-Chief of the Allied Forces in Far East, announced establishment of the defense zone in the waters around the Korean Peninsula, Korea lost no time in taking advantage of this Allied move to intensify restrictions on Japanese fishing operations by the use of her own naval ships. But as it was soon made known that the object of the new defense zone was to prevent interference with Allied military operations, rather than to impose undue restrictions on fishing operations, Japanese fishing boats were not wholly prevented from plying their trade within the Rhee Line. But many were the irritating incidents that took place during those months.

Upon conclusion of a truce in Korea, the Allied defense zone was abolished on August 27 of this year. Korea, for obvious reasons, asked the Allied authorities that the defense zone be retained, but without success. She then followed with an order that all Japanese fishing boats must withdraw outside the Rhee Line by September 8. And that order the Korean authorities proceeded to carry out by force.

As this order coincided with the peak of the mackerel season, several hundred Japanese fishing boats were operating at the time in their favorite mackerel fishing grounds located within the Rhee Line; and not all of them were able to withdraw within the prescribed time. Between September 6 and November 10, Korean naval vessels seized 42 Japanese boats totaling 2,107 tons and arrested 528 crew members. Among the seized boats, as already mentioned, were one Government patrol vessel which had gone inside the Rhee Line to settle some trouble that had arisen there, and nine trawlers which were seized while navigating along or across the Rhee Line on their normal course between their home ports and the fishing grounds in the East China Sea. (Of the above crew members placed under arrest, 496 were released between November 12th and 30th under a special Presidential amnesty.)

Since the public character of the Japanese Government's patrol vessel is beyond question, its seizure is an act of such gravity that it might well constitute a casus belli under certain conditions. And as for the seizure of the nine trawlers which were merely going to or from their fishing grounds located in East China Sea, that is clearly a violation of the assurance of safe passage that may reasonably be implied from the statement in the Rhee declaration that "This declaration of sovereignty over adjacent seas does not interfere with rights of free navigation on high seas".

4. Rhee Line and Japanese Fishery.

Japanese fishing activities in waters surrounding the Korean Peninsula had their beginning in the early 1880's, or several decades before the annexation of Korea by Japan. Subsequent emigration of our fishermen to Korea and introduction of



Another Japanese fishing boat seized by Korea being brought into Cheju Harbor.

improved Japanese fishing technique resulted in steady increase in production. And the development of off-shore fisheries made possible by the introduction of motor-driven fishing boats around the turn of the century, most of which were operated from bases in Korea, so greatly improved efficiency of the fishing operations in these waters that annual catch there in the better seasons prior to World War II amounted to 2,000,000 tons or more.

After the war, there was a radical change in the picture with the acquisition of independence by Korea. But even in the post-war years, our boats operating from bases in Japan have managed to supply the domestic market with catches ranging from 220,000 to 230,000 tons a year. The major types of fisheries in these waters are otter-trawlers, trawlers and mackerel fishing by purse-seine and pole-and-line. The principal bases from which the trawlers operate are located in Kyushu and San-in Districts; but for mackerel, boats from every part of Japan with the exception of the east coast have flocked to the seas in question. Their total number is approximately 2,500, and the number of fishermen engaged in

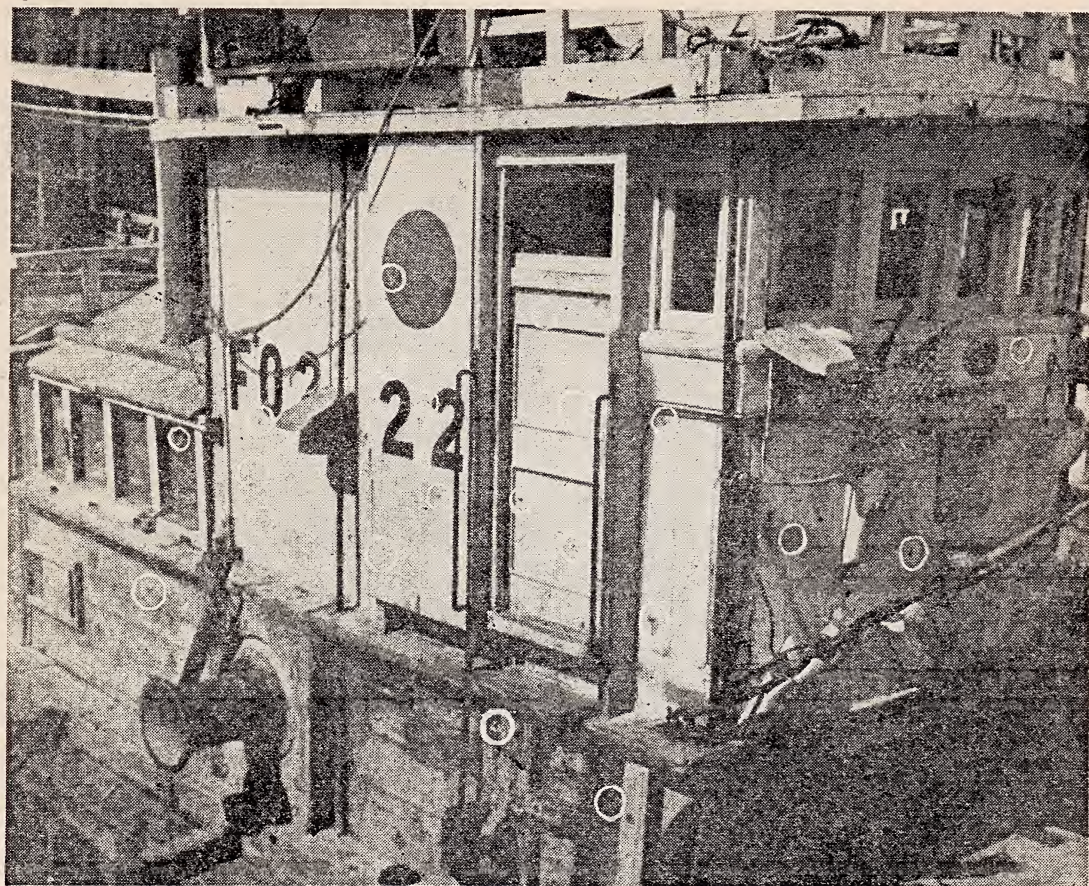
their operation is around 40,000. Consequently the blow dealt upon Japan's fishing industry by the exclusion of those boats from the waters around Korea will immediately reflect upon the prosperity of our coastal cities and towns from which they operate.

While North Kyushu is the principal market for the fish caught in Korean waters, a considerable portion is marketed throughout the Kyoto, Osaka, Kobe and Nagoya districts; and a small part is distributed as far away as Tokyo and vicinity. And since the Japanese people obtain 90% of their animal protein from marine products, enforcement of the Rhee Line would, in addition to jeopardizing the livelihood of many fishermen and their families, menace the supply of nutritions essential to normal good health. And that would apply with particular force to the large cities in West Japan, which are dependent on the catches in the sea in question for 30 to 50% of their requirements in marine products.

5. Attitude of Japanese Government and People.

Although, as can be seen from the statement already referred to, the Japanese Government takes the attitude that the Rhee Line cannot be accepted as an exceptional case recognizable under international law, it has time and again declared and demonstrated its willingness and desire to conclude as soon as possible a fishery agreement between the two countries in the interest of more friendly relations and conservation of the marine resources so important to the economies of both. Accordingly, the fishery question was made the major item in the agenda of the three Japanese-Korean talks held in the past. Each time, however, the talks came to a deadlock before any practical phase of the question could be discussed because of the adamant insistence of the Korean delegation that Japan first recognize the Rhee Line as a condition prerequisite to any discussion at all.

Considering that there are numerous other questions of considerable importance outstanding between the two countries—such, for instance, as Japanese property claims in Korea, the status and nationality of Koreans resident in Japan, etc.,—it is even conceivable that Korea is maintaining her strong stand on the fishery question



Japanese Fishing boat, Taiho Maru, which was fishing in the High Sea shot by the Korean Patrol boat. At that time the master fisherman was killed and 146 bullet-holes were left in the ship's hull and superstructure.

as a bargaining point for obtaining a favorable settlement of some of the other issues under dispute.

It may be that a small segment of our population still tend to look down on the Korea people as an inferior people, — a regrettable carry-over from the days of Japanese administration of Korea. And certain it is that many of us still have not forgotten the haughty attitude and excessively rowdy behavior of Koreans toward Japanese immediately after the surrender. But the preponderant majority of Japanese realize well that Korea is now an independent nation; and that whether the two peoples wish it or not, they are destined forever to be each other's nearest neighbor. It is that realization that actively motivates our hope for permanent

peace and friendship. And that hope, we believe, is not wholly one of self-interest. For however much Korea may receive from America in material assistance and sympathy, we do not see how she can attain real prosperity nor her full national stature without the goodwill and friendly cooperation of her closest neighbor, Japan.

It cannot be denied that there is currently gaining force among our public the feeling that Japan should counter with force in protecting our fishing boats against the high-handed measures being taken by Korea in exercise of her so-called sovereignty over the high seas bounded by the Rhee Line. The fishery dispute is almost daily making the headlines of the Japanese press; and the Government and Diet are being strongly urged to take a firmer stand. But we who are engaged in the fishing industry are still of the opinion that no stone should be left unturned to find a solution without resort to force. If official negotiations can accomplish nothing, a meeting between non-official representatives from the two countries might be able to find a mutually satisfactory answer. We sent our representatives to Seoul some months ago in the hope that some contribution might be made to that end. We are prepared to do so again so long as even the slightest hope of amicable solution remains.

6. Our position on the Japanese— Korean Fishery Issue.

We wish to submit the following points for consideration of public opinion of the world:

1. Recognition of the Rhee Line is impossible. However, in the interest of conservation of fishery resources in the waters lying between Japan and Korea, we are prepared to consider the imposition of certain fishery restrictions, effective and adequate from the scientific point of view and similar in purpose to those in effect in other waters,—subject to the condition that freedom of fishing in the high seas and the principle of equality are duly respected.
2. In view of the fact that Korean fishery is still in an undeveloped state, we are prepared to cooperate in its development by supplying fishing boats, fishing gears and other necessities.

3. The Korean Government must immediately discontinue her arbitrary actions of force against Japanese fishing boats, and must return all the boats seized, their crews and cargo.

Our appeal to the United States:

1. In every case the fishery troubles between Korea and Japan have resulted from one-sided and unjustifiable assaults by Koreans on Japanese fishing boats.

Quite apart from the question of right or wrong of Korea's stand on the Rhee Line, it cannot be denied that the use of force against Japanese fishing boats engaged in peaceful operations in the high seas and the seizure of fishing boats navigating through the neighborhood of the zone defined by that Line constitute acts inimical to peace among nations and contrary to internationally established law and order. American intervention with a view to effecting an early amicable settlement is therefore highly to be desired.

2. Considering, moreover, that Koreans are assaulting Japanese fishing boats with arms supplied them by the United States while Japan is increasing her armaments with the support and help of the United States, failure of the United States to mediate might well be construed as a manifestation of her indifference to a situation in which two neighboring countries, both recipients of her bounty, might be fighting each other with weapons manufactured and supplied by her.

3. If it is the intention of the United States to let Japan and Korea try to work out a solution for themselves through direct negotiation, we cannot but express dissatisfaction with the Security Pact and Administrative Agreement concluded between Japan and the United States. Can it be that the United States takes the view that the application of those instruments is confined to land, and not to boats at sea? If such is the interpretation, we must not only voice disappointment with those instruments but also express the fear that the very segment of the Japanese population which now looks to the United States as our best friend and partner will begin to lose faith in her.

4. The Korean Government maintains that the Rhee declaration is based on the ideas of the Truman proclamations. We have pointed out obvious differences on very important points. Is it the intention of the United States to tacitly

permit distortion of the true meaning and implications of the Truman proclamations?

5. Unless the United States takes positive steps to discharge what we believe to be her moral obligation in the matters mentioned in the above paragraphs, there is fear that the friendly feeling and trust of the Japanese in the United States which was fostered during the Occupation will deteriorate rapidly.

Our appeal to the nations of Asia:

1. Reflecting on our country's past, we Japanese are now desirous of establishing friendly relations with all countries, and especially to further promote cultural intercourse and mutually beneficial trade with our neighbors in Asia.

2. Much to our regret, however, our relations with Korea, our closest neighbor, has been going from bad to worse. This is unfortunate, not only for the two countries directly concerned, but for all peace-loving peoples of Asia.

3. The Korean Government is now trying by force to prevent Japanese fishermen from peacefully plying their trade. We believe that an amicable settlement through negotiations is as much desired by the people of Korea as by us, for it is not Korea nor Japan that will benefit from further continuance of their dispute.

Japanese Main Fisheries on the Waters of Korea (within the Rhee Line)

Type of Fishing	Kind of Fish Caught	Fishing Vessels		Number of Crews	Amount of Catch		Fishing Season
		Number of Vessels	Place of Registry		Quantity (in ton)	Value (in \$1,000)	
Pole & Line	Mackerel	425	Chiba, Kanagawa, Sizuoka, Wakayama, Ehime, Fukuoka, Saga, Nagasaki, Kumamoto, Miyazaki, Kagoshima	10,625	47,753	8,854	May~Nov. (7 months)
Purse-seine	Horse-mackerel, Mackerel	Fishing boat 285 Carrying boat 508 Total 793	Yamaguchi, Fukuoka, Saga, Nagasaki, Kumamoto, Kagoshima	13,010	60,562	9,433	May~Nov. (7 months)
Small-trawling	Flounders, Crab Croaker, Cod.	232	Hyogo, Tottori, Simane, Yamaguchi, Fukuoka, Saga	2,320	17,940	2,129	Nov.~March (5 months.)
Trawling	Sea-bream, Croaker, Ribbon fish, Flounders, Gurnard, Cuttle fish, Skates	785	Yamaguchi, Fukuoka, Saga, Nagasaki	9,420	73,764	10,367	Jan.~Dec. (Whole Year)
Otter trawling	Sea-bream, Croaker Ribbon Fish, Flounder, Skates	58	Yamaguchi, Fukuoka, Nagasaki	1,450	18,502	2,607	Jan.~Dec. (Whole Year)
Whaling	Fin Whale	2	Tokyo	44	2,400	500	Aug.~Oct. (3 months)
Others	Swordfish, Spanish mackerel, Croaker	245	Okayama, Yamaguchi, Oita, Nagasaki, Kumamoto, Kagoshima	3,291	7,300	2,361	Jan.~Dec. (Whole Year)
Total		2,540		40,160	228,221	36,251	

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